

REMARKS

Claims 11-17 are pending in the present application. Reconsideration of the present application, is respectfully requested.

Rejections

The Examiner has provisionally rejected claims 1-10 under 35 U.S.C. §102(e) as being anticipated by co-pending application no. 09/369,310, has provisionally rejected claims 1-10 under 35 U.S.C. §101 as claiming the same invention as that of claims 1-10 of co-pending application no. 09/369,310, and has raised 102(g) and/or 102(f) issues with regard to claims 1-10 of co-pending application no. 09/369,310.

Applicants respectfully submit that a Petition Under 37 C.F.R. §1.182 was filed in the present application on April 9, 2001 in order to consider Japanese Priority application 079518/1999 as the specification in the present application and not the English-language specification which was attached during filing on January 12, 2000. Applicants direct the Examiner's attention to the Petition filed in the present application on April 9, 2001. Applicants respectfully submit that the amendments to replace the English-language specification filed on January 12, 2000 with an English-language translation of the Japanese priority document, the replacement of the Figures, and the cancellation of claims 1-10 and the replacement with claims 11-17 render moot

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all of the rejections contained in the Examiner's Office Action of November 22, 2000. Applicants further request the Examiner to refrain from further action on the present application until applicant's Petition filed April 9, 2001 is decided upon.

**CONCLUSION**

In the event there are any outstanding matters remaining in this application, the Examiner is invited to contact John A. Castellano (Reg. No. 35,094) at (703) 205-8000 in the Washington, D.C. area.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a three (3) month extension of time for filing a reply in connection with the present application, and the required fee of \$890.00 is attached hereto.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By \_\_\_\_\_

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MAY 25 2001  
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**MARKED-UP VERSION**

In the Specification

The entire specification has been replaced

In the Claims

Claims 1-10 have been canceled

Claims 11-17 have been added

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